

The Attorney General's action concerns me greatly. I was pleased to co-sponsor the Use NICS in Terrorist Investigations Act introduced by Senators KENNEDY and SCHUMER. This legislation would codify the 90-day period for law enforcement to retain and review NICS data. The need for this legislation was highlighted late last year when the Attorney General denied the Federal Bureau of Investigation access to the NICS database to review for gun sales to individuals they had detained in response to the September 11th terrorist attacks and refused to take a position on an amendment which would authorize that access.

Senator REED's Gun Show Background Check Act, which is supported by the International Association of Chiefs of Police, would extend the Brady Bill background check requirement to all sellers of firearms at gun shows. I cosponsored it because it is vital that we do all we can to prevent guns from getting into the hands of criminals and terrorists.

I urge my colleagues to consider these important pieces of gun safety legislation not only to protect our children from gun accidents and criminal use, but also to limit easy access to dangerous weapons by people who would seek to threaten our Nation's security.

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#### TRIBUTE TO COMMANDER JEFFERY FREEMAN

Mr. COCHRAN. Mr. President, I am pleased to congratulate Commander Jeffery Freeman upon the completion of his career of service in the United States Navy. Throughout his 21 year military career, Commander Freeman served with distinction and dedication.

Continuing a family tradition of Naval Service since World War I, Jeff received his commission from the U.S. Naval Academy in 1981 and went on to earn his Naval Flight Officer Wings. Jeff served in four maritime patrol squadrons as a Patrol Plan Tactical Coordinator, Mission Commander, and ultimately as Officer-in-Charge, flying over 3,500 hours in the P-3 Orion aircraft, deploying to remote locations around world, and flying hundreds of hours tracking Soviet and other foreign submarines. Jeff served as a legislative fellow in my office, and he has served in the Navy Appropriations Liaison Office providing support to both the U.S. Senate and U.S. House of Representatives.

His family and his fellow shipmates can be proud of his distinguished service. Commander Freeman, his wife Annemarie of Biloxi, and their four children, have made many sacrifices during his Naval career, and we appreciate their contribution of conscientious service to our country. As he departs the Pentagon to start his second career, I call upon my colleagues to wish Jeff and his family every success, and the traditional Navy "fair winds and following seas."

#### VETERANS' BENEFITS ACT OF 2002, S. 2237

Mr. DAYTON. Mr. President, I rise today to applaud the Senate's action last night when it passed S. 2237, the Veterans' Benefits Act of 2002. This important legislation will make much-needed improvements to veterans' disability compensation payments, Medal of Honor pensions, housing benefits, claims adjudications, and education benefits through increased funding for State Approving Agencies. I strongly urge the President to sign this bill into law as quickly as possible.

I am pleased this bill also includes an important provision that will expand the civil protections provided to members of the National Guard under the Soldiers' and Sailors' Civil Relief Act of 1940. I worked closely on this provision with its sponsor, Senator Paul Wellstone. My late friend and colleague from the State of Minnesota was an outspoken advocate on behalf of America's veterans throughout his service in the Senate. The Wellstone-Dayton provision in this bill will better protect members of the National Guard in Minnesota and around the country. The provision specifies that National Guard members mobilized for more than 30 days by a state at the request of the Federal Government to respond to a national emergency be allowed protections under the Soldiers' and Sailors' Civil Relief Act during their duty.

The Soldiers' and Sailors' Civil Relief Act allows America's military personnel to have their legal rights secured until they can return from the military to defend themselves. It covers such issues as rental agreements, security deposits, prepaid rent, evictions, installment contracts, credit card interest rates, mortgage interest rates, mortgage foreclosures, civil judicial proceedings, and income tax payments. One of the most widely known benefits under the act, for example, is the ability to reduce consumer debt and mortgage interest rates to six percent under certain circumstances. The original Soldiers' and Sailors' Civil Relief Act was actually passed during World War I. The statute was reenacted during World War II, then later modified during Operation Desert Storm. However, until now the Act's coverage has not included the National Guard as comprehensively as their active duty and reservist counterparts. I believe this is wrong.

Following the terrorist attacks against the United States on September 11, 2001, members of the Minnesota National Guard were activated by our State at the request of the President to provide security at several major airports. As the duration of these activations grew to several months, I began to hear from these brave men and women about the stress and financial burdens that accompanied their service. Senator Wellstone and I were shocked to learn that, although the Soldiers' and Sailors' Civil Relief Act exists to ease many of these

same burdens for active-duty service members and reservists, members of the National Guard were not similarly covered for these types of activations, because this service was deemed to be State, rather than Federal, service. This discovery led to the Wellstone-Dayton provision.

Anyone who visited our Nation's airports after September 11 will not soon forget the contributions of countless members of the National Guard who, at the request of the President, contributed to a sense of greater security and peace of mind for air travelers by providing airport security. The men and women who provided these security efforts did so with courage and selflessness.

In light of September 11, it seems apparent that the National Guard has, and ought to have, a clear role in protecting Americans from outside threats. Further, when the President requests the men and women of the National Guard take on these new missions which help to protect Americans from terrorism, their civil interests should be protected under the Soldiers' and Sailors' Civil Relief Act. Accordingly, I am happy that this will be properly ensured with the Senate's passage of S. 2237 last night.

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#### CRITICAL INFRASTRUCTURE INFORMATION SHARING

Mr. BENNETT. Mr. President, for several years, I have been actively working to protect our Nation's critical infrastructure and promote information sharing between the government and the private sector. From my experience with Y2K, I recognized that our Nation's critical infrastructure was vulnerable and that the private sector and the government needed to cooperate. Last year I introduced S. 1456, the Critical Infrastructure Information Security Act of 2001, which sought to bolster critical infrastructure security by fostering and encouraging critical infrastructure information sharing. Both the Senate Government Affairs Committee and the Senate Energy and Natural Resource Committee held hearings on this issue. Once legislation creating the Department of Homeland Security was introduced in the Senate, I worked to ensure that some of the protections found in S. 1456, specifically protection from public disclosure pursuant to the Freedom of Information Act (FOIA), were addressed and considered in the proposed legislation.

The need for congressional attention on this issue stems from the growth of new technology and the increased reliance on computer networks created new vulnerabilities. For the past two decades, once physically distinct operations, controls and procedures have been tightly integrated with information technology. Pipelines can be controlled remotely. A vulnerability in a telecommunication systems can impact the functioning of the Department of Defense and the financial services

sector. Sectors are more interconnected and more interdependent.

Eighty-five percent of the United States' critical infrastructures, the essential services that if disrupted or destroyed would impact our economic or national security such as financial services, telecommunications, transportation, energy, and emergency services, are still owned and operated by the private sector. Osama bin Laden has called on his supporters to attack the pillars of the U.S. economy the private sector.

If the private sector and the Federal Government are increasingly interconnected and are targets for those who wish us ill, it makes sense for both targets to share information with each other. We have to think differently about national security, as well as who is responsible for it. In the past, the defense of the Nation was about geography and an effective military command-and-control structure. Now prevention and protection must shift to partnerships that span private and government interests.

Yet the private sector has no access to government information about possible threats, much of which is often classified. The Federal Government, with its unique information and analytical capabilities, lacks specific information from the private sector on attacks. Both parties have a blind spot and only see parts of the problem. Government and industry would benefit from cooperating in response to threats, vulnerabilities, and actual attacks by sharing information and analysis. If the Department of Homeland Security is tasked to match threats with vulnerabilities, the private sector must be a willing partner.

Although the Senate bipartisan FOIA agreement that I negotiated is not included in the current homeland security bill, I am pleased that the final version includes a number of provisions that will foster critical infrastructure information sharing. As the government and the private sector cooperate and begin to exchange information, we will be in a better position to prevent, respond to and recover from future attacks to our country.

#### NOMINATION OF MICHAEL McCONNELL

Mr. HARKIN. Mr. President, I wish to express my concerns regarding the confirmation of Michael W. McConnell to serve on the United States 10th Circuit Court of Appeals.

Of President George W. Bush's judicial nominees, Michael W. McConnell is the most hard-line, impassioned, and consistent public foe of a woman's right to choose yet to come before the Senate. His legal views and philosophy are far outside the American mainstream.

This nomination passed out of the Judiciary Committee on November 14, and came before the full Senate on November 15. Given the lack of time to re-

view Professor McConnell's record, an absence of recorded votes in opposition to this nominee should not be taken as a vote of confidence from all Senators.

McConnell is a long-time anti-choice scholar and activist whose views on the constitutional right to privacy leave little doubt about how he would rule in cases involving the right to choose. He believes that *Roe v. Wade* was wrongly decided and that significant restrictions on abortion are appropriate, even while *Roe* stands. He has joined conservative political activists in calling for a constitutional amendment to ban all abortions, possibly even in cases of rape and incest.

This issue of abortion is one in which thoughtful people of good conscience may disagree. However, it is my belief that Michael McConnell's core personal beliefs on the immorality of abortion and the moral status of the embryo, articulated repeatedly in numerous forums including law reviews, op-eds, and legal [or court] briefs, will make it difficult if not impossible for him to consider impartially the cases that would come before him as a judge.

McConnell's view of the Freedom of Access to Clinic Entrances Act also illustrates his inability to be impartial. Not only has he contended that the law is unconstitutional, but his view of the FACE Act is so colored by his opposition to the right to choose that he has expressed his admiration for a judge who blatantly ignored the law in acquitting defendants who broke the law.

Anti-choice legislatures have demonstrated great creativity in creating innovative barriers to a woman's right to choose. The constitutionality of these new barriers is frequently determined by the circuit courts, and is rarely reviewed by the Supreme Court.

It is my hope that the administration will begin to reach across the aisle to identify moderate, consensus nominees. The alternative will be an ongoing crisis in the judiciary. It is also my hope that Professor McConnell is not a harbinger of what is to come when Supreme Court vacancies occur.

#### ADDITIONAL STATEMENTS

##### CONGRATULATIONS TO BOB AND MARY JEAN FREESE

• Mr. BAUCUS. Mr. President, I rise to extend my congratulations to Bob and Mary Jean Freese on their 50 years of marriage. During that half century, their loving relationship has not only helped them raise five children, but has served them well in raising two additional generations, with seven grandchildren and one great-grand child.

Bob and Mary Jean were united at Salem Lutheran Church in Spokane, Washington on December 6, 1952. Throughout their lives together they have demonstrated a commitment to public service, and instilled a similar public service ethic in their families.

Bob is the son of a Marine Corps Officer and served honorably in the United

States Air Force for ten years, and later was a plant engineer with Continental Baking Company. Mary Jean was a long time employee in the Spokane County Auditor's office.

While Bob and Mary Jean reside in Spokane, Washington, their daughter-in-law Maria Freese has provided dedicated service to the people of Montana, first as a member of my Senate staff and later as Tax Counsel with the Senate Finance Committee. Their son Terry recently retired from 25 years of service with Congressman Norm Dicks and as a Presidential appointee at the Department of Energy, their daughter Robin works with the state of Washington, their son Russell served with the U.S. Air Force, their daughter Peggy has worked with Spokane Community College. And their youngest son, Tom, has served the public in a number of positions in the automotive industry.

In their retirement, Bob and Mary Jean continue to help others by combining their interest in motorcycles with safety promoting community service at highway rest stops. Mary Jean is also an officer with the Spokane Genealogical Society and is always willing to help people seeking out their roots.

I hope that Bob and Mary Jean will continue to enjoy many more years of happiness together.●

##### ON THE RETIREMENT OF RIVER- SIDE COUNTY SUPERVISOR TOM MULLEN

• Mrs. BOXER. Mr. President, I rise to reflect on the distinguished career of Riverside County Supervisor Tom Mullen, who will retire on December 13, 2002. Supervisor Mullen's passion for good government and good planning has set a standard for his county and for California.

Before his tenure as Supervisor, Tom Mullen worked in the field of law enforcement, serving 11 years with the Riverside Police Department and the Riverside County Sheriff's Department. He also served as an aide to former California State Senator Robert Presley, Director of Intergovernmental Affairs for the Riverside County Transportation Commission, and Director for External Program Development for the University of California, Riverside's College of Engineering and Center for Environmental Research and Technology.

As Supervisor of Riverside County's Fifth District, Mullen helped develop programs for young people, improve education, improve infrastructure, reduce traffic congestion and make the streets safer by adding more police officers to the beat. In recent years, his focus has been on creating as transportation, habitat and housing blueprint for Riverside County, a plan that will guide the rapid development expected to occur in the coming years. Because of his diligent work and vision, Riverside County's plan has won state and